



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor : Denise Chapman Weston  
App. No. : 10/045,582  
Filed : October 22, 2001  
Title : CHILDREN'S TOY WITH  
WIRELESS  
TAG/TRANSPONDER  
Examiner : Jacob K. Ackun  
Group Art Unit : 3712

STATEMENT OF JONATHAN A. BARNEY OF UNINTENTIONAL ABANDONMENT  
UNDER 37 C.F.R 1.137(b)

I, Jonathan A. Barney, do hereby state as follows:

1. I am a citizen of the United States of America.
2. I am the Vice President, General Counsel and Chief Enforcement Officer of Creative Kingdoms, LLC, having a principal place of business at 195 Walden Way, Wakefield, RI 02879, the assignee of the above-identified patent application (hereinafter, the "Application").
3. I was an Attorney of Record for the Application when the Application went abandoned on May 20, 2004.
4. The entire delay in filing the required reply from the due date for the required reply (i.e., May 20, 2004) until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Date: 2/16/05

  
Jonathan A. Barney  
VP, General Counsel & Chief Enforcement Officer  
Creative Kingdoms, LLC

DAC  
RFW



**RENEWED PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313, on

Sept. 29, 2005  
(Date)

Amy Christensen  
Amy Christensen, Reg. No. 52,742

**MAIL STOP PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application became abandoned for failure to file a timely and proper response to the Notice Of Drawing Inconsistency With Specification, mailed on April 20, 2004, which set a one-month period for response. Applicant submitted a Petition for Revival on March 11, 2005. The petition was dismissed stating that petitioner needed to file an amendment to the Specification so that the Drawings were consistent with the Specification. Applicant's attorney contacted the Office of Petitions and was informed that Applicant could file a conforming amendment amending the specification and the drawings.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

Applicant is submitting herewith:

1. A Conforming Amendment in response to the above-noted Office Action amending the Specification and the Drawings. Attached as Appendix A to the Conforming Amendment are Substitute Drawings in two (2) Replacement Sheets. In particular, previous FIG. 4 is now identified as FIG. 6, previous FIG. 5A is now identified as FIG. 4A, previous FIG. 5B is now identified as FIG. 4B, and previous FIG. 6 is now identified as FIG. 5. In addition, one of the two reference numerals "240" of previous FIG. 4

(now FIG. 6) has been changed to reference numeral "245" to correspond with the description of the Specification.

2. A statement by Jonathan A. Barney, the Vice President, General Counsel and Chief Enforcement Officer of the Assignee of the above-referenced application, that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.
3. A Return prepaid postcard.

The Issue Fee and Publication Fee of \$965 have been previously paid on March 16, 2004. In addition, it is Applicant's understanding that no additional fees are required for this renewed petition. If Applicant's understanding is incorrect, please charge any such fees to Deposit Account No. 11-1410.

If further issues still exist with respect to the present application, the Commissioner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved. Please charge any additional fees or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Sept. 29, 2005

By: Amy C. Christensen  
Amy C. Christensen  
Registration No. 52,742  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404